

Draft Minutes

Nevada State Emergency Response Commission

State Emergency Response Commission

3rd Quarterly Meeting

Nevada State Employment, Training and Rehabilitation Bldg.

1325 Corporate Blvd.

Reno, Nevada

July 8, 2004

Members Present

B. Jim Reagan
L. Tom Czehowski
Susan Crowley
Richard Mirgon
Larry Farr
Jim O'Brien
John Helmreich
Jolaine Johnson
Verl Jarvie
Richard Brenner
Carl Byrd
Senator Nolan
Brett Skinner
Douglas Webb
Frank Siracusa

Members Absent

Doyle Sutton
Lawrence Jacobsen
Senator Rawson

Guests

Mike Soms
Jim Lopey
Dave Bowman
Danny Brennan
Susan Haas
Russel Peacock
Kathy Brady
Kamala Carmazzi
Natalie Chamberlain
Craig Nixon

Staff

Karen Kennard
Cheryl Folkers
Glade Myler
Bruce Ferrel

I. Call to Order

Richard Brenner called the meeting to order at 10:31 a.m.

II. Introductions

Introductions were made around the room as shown above.

III. Approval of April 8, 2004 Meeting Minutes

Jim O'Brien motioned to approve the April 8, 2004 minutes. Susan Crowley seconded the motion, which was approved unanimously.

IV. Public Comment

There was no public comment.

V. New Business

Q. Discussion on Interlocal agreement between SERC and State Fire Marshal's office. This agreement is in regards to the collection and dissemination of facility chemical information and fees between the State Fire Marshal's Office and SERC continued application of database

This item was taken out of order on the agenda. Karen Kennard, Executive Director, stated the interlocal agreement between SERC and the State Fire Marshal's Office is to establish procedures on the collection of fees and chemical reports, the data base, and the roles of each division. Counsel for

SERC and State Fire Marshal's Office, both from the Attorney General's Office Suggested changes. After discussion by SERC and State Fire Marshal's Office Mr. O'Brien motioned to approve the interlocal agreement with the recommended changes. B. Jim Reagan seconded the motion which was approved unanimously.

A. Local Emergency Planning Committee Updates (attending LEPC Representatives)

Douglas- Richard Mirgon stated the LEPC is working on the bylaws.
Washoe- Jim Lopey stated Washoe County is hiring a LEPC grant administrator. The fiscal administration of the LEPC will be handled through the County.

Clark- Mr. O'Brien stated there is a pamphlet on their website www.co.clark.nv.us, regarding what to do in a hazardous chemical emergency. The LEPC has been designated as the urban area working group under Homeland Security and will be involved in thirty-five exercises through out this year.

Lander- Carl Byrd stated the LEPC is working with the staff at SERC to encourage the county commissioners to attend the LEPC meetings. There is a drill scheduled in Austin for July 30, 2004.

White Pine- Russ Peacock stated the LEPC is working on the bylaws and updating the Hazmat Plan. There will be a LEPC meeting next week. The LEPC will also be involved in a table top exercise. The LEPC is in the process of getting information on who wants to attend the Hazmat Expo this year. The LEPC sent the EPCRA publication notice to the newspaper in May and still have not received verification of publication from the newspaper.

Elko- Verl Jarvie stated the LEPC is working on their bylaws. Also, the LEPC attendance has increased since Homeland Security funds became available.

Esmeralda- Kathy Brady stated they had the Abbotville simulator which was a success. The hazmat plan is printed and ready to be sent out. The LEPC is working on training needs with the Department of Energy.

Mineral- Natalie Chamberlain stated the LEPC is working on their bylaws. The county just completed a three day training course on hazardous materials and weapons of mass destruction. The county is also scheduled to have the Abbotville simulator on July 24th and 25th. The county is scheduling a joint drill with the Day Zimmerman Hawthorne Corporation sometime in September. The LEPC is preparing to send attendees to the Hazmat Expo this year. The LEPC is also relocating the emergency and hazmat records office to the fire house.

B. U.S. Environmental Protection Agency Update – Mike Ardito

Mike Ardito was unable to attend the meeting. Mr. Ardito provided a handout for everyone to review. Mr. Brenner pointed out the update states Nevada decreased in Toxic Release Inventory by 37 percent from 2001 to 2002.

C. U.S. Federal Emergency Management Agency Update – Todd Smith

Todd Smith was not represented at the meeting.

D. Occupational Safety and Health Administration Update – L. Tom Czehowski

L. Tom Czehowski, OSHA, stated there was nothing to report this quarter.

E. Nevada Division of Emergency Management Update – Frank Siracusa

Frank Siracusa, DEM, stated the State Comprehensive Emergency Management plan should go to print by September 1. Staff is working on the Homeland Security grants. The division is finalizing the approvals for the new Emergency Operations Center and may break ground after the first of the year. The Governor is in the process of appointing a new Homeland Security Advisor.

F. Nevada Division of Environmental Protection Update – Jolaine Johnson

Jolaine Johnson, NDEP, stated EPA is working with a contractor on the update of the Hazardous Materials and Weapons of Mass Destruction Emergency Response Plan. EPA has permanently stationed Tom Dunkelman in Northern Nevada as EPA's on scene coordinator. Since there have been numerous mercury releases in Nevada, EPA has set up a voluntary program for homeowners to give them a call and EPA would pick up the mercury and dispose of it. This program is very successful. NDEP has just completed a coordinated plan with California over response on the Truckee River. In the future NDEP will be working with EPA on a plan with the Colorado River.

G. Nevada State Fire Marshal Update – Doyle Sutton

Dave Bowman, State Fire Marshal's Office, stated Doyle Sutton was attending a conference and was unable to attend the meeting.

H. California State Emergency Response Commission program update

Ms. Kennard stated at the last SERC meeting staff was asked to send invitations to the SERCs in the surrounding states. Staff received responses from Arizona and California requesting to put contact names on SERCs lists to send out meeting agendas. California also indicated someone would be attending this Nevada SERC meeting.

I. Legislative Committee Report

Ms. Kennard stated the Legislative and Policy Committees had a combined meeting to determine if additional legislation was required. There was no additional legislation requested. The committees discussed the fiduciary duty of the SERC regarding the \$60.00 fee from the State Fire Marshal's Office. The committees decided it was not the responsibility of SERC since the funding was legislatively approved through the State Fire Marshal's Office.

J. Strategic Planning Committee Report

Ms. Crowley stated the Strategic Planning Committee met this morning and are in the process of setting up a working meeting to get started on the strategic plan to bring to the SERC for review.

K. Funding Committee Report

The committee has not met since the last SERC meeting.

L. Bylaws Committee Report

Ms. Kennard stated the Bylaws Committee reviewed the membership lists which were submitted to the SERC. LEPCs who did not submit membership lists were Nye and Humboldt. Humboldt submitted their membership list last week. The Committee recommends approval of membership lists with requested contingencies.

The Committee also reviewed the Bylaws for each LEPC with the exception of the LEPCs who did not submit bylaws. Those LEPCs were Humboldt, Nye, Douglas and Pershing. Humboldt submitted their bylaws last week. The Committee recommends approval of bylaws with only minor changes to two. There was discussion on whether the LEPCs should be required to have quarterly meetings. EPCRA states LEPCs should have regularly scheduled meetings, but it does not define "regularly." The Bylaws Committee recommends the SERC require, at a minimum, quarterly meetings. Mr. O'Brien motioned to approve LEPC membership lists with contingencies. Ms. Crowley seconded the motion which was approved unanimously. Mr. O'Brien motioned to approve the LEPC bylaws with contingencies. Ms. Crowley seconded the motion which was approved unanimously. Mr. O'Brien motioned to require LEPCS to conduct, at a minimum, quarterly meetings. Ms. Crowley seconded the motion which was approved unanimously.

M. Information Technology Committee Report

The Committee has not met since the last SERC meeting. Ms. Kennard stated the RFP to have a consultant look at NCFD is still in progress. It is currently with Public Safety Technology Division. The Fire Marshal's Office has also reviewed the RFP. The website is also working and can be accessed at www.serc.nv.gov.

N. Outreach Committee Report

Mr. Brenner stated staff is doing a good job getting information out to everyone and questioned if there is a need for the Outreach Committee. Mr. O'Brien motioned to dissolve the Outreach Committee. L. Tom Czehowski seconded the motion. Mr. Farr stated this will put extra work on staff and the Committee should be there to help get information out to everyone. The motion was approved with Mr. Farr and Mr. Reagan opposing the motion.

O. Policy Committee Report

This item was discussed under the Legislative Committee Report.

P. Discussion on submission of 2005 USDOT, Hazardous Materials Emergency Preparedness (HMEP) Grant Application

Ms. Kennard stated the application was submitted to USDOT. The due date of the application was July 1, 2004. Charles Rogoff with USDOT is aware the application may be amended if the Commission makes changes to the application as a result of this meeting. Ms. Kennard also stated Mr. Rogoff called to commend staff on a well prepared application. Ms. Kennard pointed out a some changes on the application. Mr. Farr motioned to approve the grant application with changes. Mr. O'Brien seconded the motion which was approved unanimously.

Q. Discussion on interlocal agreement between SERC and State Fire Marshal's Office. This agreement is in regards to the collection and dissemination of facility chemical information and fees between the State Fire Marshal's Office and SERC and continue application of database

This item was discussed earlier.

R. Discussion on hazmat training provided by the State Fire Marshal's Office

Mr. Bowman stated the Fire Marshal's Office is improving their training programs. The Fire Marshal's Office is getting feedback on the training needs and the training which is being provided. Everyone should see a significant change in the training process.

S. Discussion on relocating the SERC office

Mr. Mirgon stated there is a space issue in the new Emergency Operations Center. Due to this the SERC office square footage is being reduced. Mr. O'Brien motioned to authorize staff to find another office location. Ms. Crowley seconded the motion which was approved unanimously.

T. Discussion on facility overpayment of Toxic Release Inventory Report fees

Ms. Kennard stated NRS does not have a cap on the Toxic Release Inventory Reports. Staff has received an "overpayment" on fees from one facility since SERC imposed a fee cap of \$7,500. It was stated to have staff not obligate the "overpayments" and amend the Bill Draft Request authorizing SERC to return "overpayment" of funds back to the facilities. Mr. O'Brien motioned to authorize the amended BDR to reflect the intent to reimburse "overpayments" of the TRI and to direct staff not to obligate the "overpayments" received from the facilities. Mr. Farr seconded the motion which was approved unanimously with Mr. Byrd and Ms. Crowley abstaining.

U. Discussion on Nye County LEPC non compliance with SERC and EPCRA requirements

Ms. Kennard stated she has written to the county commissioners twice trying to get Nye LEPC compliant with SERC and EPCRA requirements. Staff prepared a document which had directives and requirements. The document was signed by Bill Hall, LEPC chair, and dates filled in on when he would be able to complete each task listed. Staff was directed to schedule a meeting with the county manager and the chairman of the county commission and the co-chairs of SERC.

V. Executive Director Report

Ms. Kennard updated the Commission on the following:

- Ms. Kennard, Mr. Brenner and Mr. Ferrel attended the N.A.S.T.T.P.O. conference in April.
- The BDR is in the Department of Administration.
- The Department of Administration has done a post audit on SERC. There were no issues from the audit. It is time to review the internal policies and procedures manual for SERC.
- Staff conducted an internal audit of the HMEP grant funds.
- Staff has been providing technical assistance to Lander and Pershing County.
- Staff has been assisting DEM and NDEP on updating the State Hazard Materials Response Plan.
- There is no new information on the lawsuit in Chicago.

- Department of Motor Vehicles has received over 1000 signature for the “United We Stand” license plate. This plate will be the first one to be printed when the new equipment to make the plate is in up and running.

VI. Adjournment

Mr. O'Brien motioned to adjourn the meeting at 1:15 p.m.